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**MAY 9, 2003
FOR IMMEDIATE RELEASE**

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**SILVER SPRING DENTIST AGREES TO PAY \$100,000 IN SETTLEMENT
OF FALSE CLAIMS ACT CASE AND IS SENTENCED ON CRIMINAL CHARGES**

Baltimore, Maryland: Thomas M. DiBiagio, United States Attorney for the District of Maryland, announced today that Chui Lun Lui, also known as Alan Lui, age 54, a former military dentist with offices at 12908 New Hampshire Road, Silver Spring, Maryland, agreed to pay \$100,000 to the government in settlement of a case arising under the False Claims Act. Dr. Lui was also sentenced today by U.S. District Judge Peter J. Messitte in United States v. Chui Lun Lui, PJM 01-CR 0559, a federal criminal case arising from the same investigation, to 2 years probation, 120 hours community service and ordered to pay \$18,553.60 in restitution. The amount Dr. Lui is required to pay in restitution in the criminal case is offset against the \$100,000 in damages and civil penalties that he must pay under the False Claims Act.

The case arose as the result of an investigation by United Concordia Companies, Inc. and TRICARE Management Activity. TRICARE is a federally funded, statutory health benefits entitlement program for active duty members of the uniformed services, their family members, retirees, and

survivors. TRICARE is administered by the United States Department of Defense. United Concordia was the dental plan contractor for TRICARE's health care benefits plan.

The government alleged that from May 1997 through August 1999, Dr. Lui submitted or caused to be submitted false claims for reimbursement to TRICARE for dental work allegedly performed on children who were family members of uniformed services personnel. The government alleged that Dr. Lui submitted false claims for medically unnecessary periodontal scaling and root planing performed on children ranging in age from two years old to 15 years. Periodontal scaling and root planing is a procedure used to treat periodontitis, a gum disease which causes gum tissue at the base of the tooth to separate from the root of the tooth. Periodontal scaling and root planing is a painful and lengthy procedure, often performed under local anesthesia, and is not meant to be prophylactic in nature.

The government further alleged that from May, 1997 through August, 1999 Dr. Lui submitted claims for periodontal scaling and root planing on 21 children in the absence of x-rays and other documentation showing any medical necessity for the treatment. Dr. Lui submitted approximately \$8,250 in false claims to TRICARE for periodontal scaling and root planing performed on children during this period. The damages and penalties in this case reached \$100,000 because the False Claims Act provides for treble damages and up to \$11,000 per count for each submission of a false claim to a government-funded health plan for reimbursement for medical or dental services provided.

The investigation was conducted by the United States Department of Defense, the United States Attorney's Office in the District of Maryland and special investigators from United Concordia Companies, Inc. The criminal investigation was handled by Assistant United States

Attorney Odessa P. Jackson and the civil case was handled by Assistant United States Attorney Virginia B. Evans.